

REMARKS

Claims 1-62 are currently pending in the application. No new matter has been added.

I. CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Claim 18-20, 23, 24, 29, 34-36, 47-48, and 50-54 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,662,342 issued to Marcy et al. (Marcy). Applicants respectfully note that in order to sustain a claim rejection under § 102, each of the claim elements must be disclosed, either expressly or inherently, in the cited reference.

Claim 18 has been amended, and now recites receiving the schema for the data that is based on the mark-up language, identifying a child node that is to be accessed within the data, reviewing the schema to determine one or more access parameters relating to the child node, determining at least one access parameter for the child node relative to the parent node in accordance with the schema, and using the one or more access parameters to directly access the child node. Applicants respectfully submit that Marcy does not disclose or suggest determining at least one access parameter for the child node relative to the parent node in accordance with the schema, nor does it disclose or suggest such limitation in combination with the remaining claim elements. In particular, Marcy is directed toward determining the structure of objects in an XML document by parsing the document itself to determine instances of objects, such as elements and attributes. (Marcy, Abstract and col. 4, lines 35-36). Marcy teaches parsing the XML document to determine specific start and end locations in the XML document text itself for the values of all of the attributes. (Marcy, col. 5, lines 20-32). Marcy parses the XML document to determine start and end locations within the file in order to retrieve XML data, and therefore, does not determine an access parameter for the child relative to the parent node, much less, determine an access parameter for the child relative to the

parent node in accordance with the schema.

For at least the foregoing reasons, Applicants respectfully submit that claim 18 and its dependent claims are allowable over Marcy.

2. Claims 34 and 35 recite similar limitations as claim 18. Therefore, these claims and their respective dependent claims are patentable over Marcy.

II. CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-4, 8, 10-12, 14, 21, 30-33, 37-38, 40, 42-43, 45, 56, and 60 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Marcy in view of U.S. Patent Publication No. 2001/0029604 published by Dreyband et al. (Dreyband). Claims 15-17, 57-58, and 61-62 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Marcy in view of Dreyband in view of U.S. Patent Publication No. 2003/0233618 published Wan (Wan). Claims 25-28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Marcy in view of Wan. Claims 5-7, 9, 13, 39, 41, 44, 46, 55, and 59 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Marcy and Dreyband in view of the Java Architecture for XML Binding (JAXB) published by Sun Microsystems on January 8, 2003. Claims 22, 49, and 53 stand rejected under 35 U.S.C. 103(a) over Marcy in view of JAXB.

Claim 1 has been amended to recite determining at least one access parameter for the element relative to a second element in accordance with the schema. Applicants respectfully submit that

neither Marcy nor Dreyband discloses or suggests such limitation. Rather, Marcy is directed toward determining the structure of objects in an XML document by parsing the document itself to determine instances of objects, such as elements and attributes. (Marcy, Abstract and col. 4, lines 35-36). Marcy teaches parsing the XML document to determine specific start and end locations in the XML document text itself for the values of all of the attributes. (Marcy, col. 5, lines 20-32). Marcy parses the XML document to determine start and end locations within the file in order to retrieve XML data, and does not determine an access parameter for the child relative to the parent node, much less, determine an access parameter for the child relative to the parent node in accordance with the schema. Dreyband also does not disclose or suggest the above limitation, and therefore, fails to make up the deficiency presents in Marcy.

For at least the foregoing reasons, Applicants respectfully submit that claim 18 and its dependent claims are allowable over Marcy, Dreyband, and their combination.

2. Claims 11 and 30-33 recite similar limitations as claim 1. Therefore, these claims and their respective dependent claims, are patentable over Marcy, Dreyband, and their combination.


CONCLUSION

Based on the foregoing, all remaining claims are believed in condition for allowance. If the Examiner has any questions or comments regarding the remarks, please contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing number **OI7035732001**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing number **OI7035732001**.

Respectfully submitted,
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